

The Sun

FOR
1888.

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UNITED DEMOCRACY.

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FRIDAY, FEBRUARY 17, 1888.

Some Peculiar Bills Before the Legislature.

As a rule special legislation is to be regarded with suspicion, and private bills introduced in the Legislature for the benefit of some individual or corporation with the obvious purpose of taking a particular case out of the operation of a general rule, should never be allowed to be smuggled through.

A bill for the relief of GEORGE A. VOZEL was recently introduced in the Assembly, and the provisions of this proposed enactment are somewhat remarkable. It provides that the Comptroller, President, and the Board of Commissioners of Taxes, and the Counsel to the Corporation shall hear and determine, without reference to any former litigation in regard thereto, a certain claim which one GEORGE A. VOZEL makes against the city of New York for an alleged injury to certain real estate on Fortieth street, caused by the grading of that street.

This novel case, so summarily constituted, is required by the act to certify in writing the amount of damages which VOZEL sustained, and to admit in evidence all papers and documents produced by VOZEL or the city having reference to VOZEL's claim. The determination of a majority of this court is to have the same effect against the city as a judgment.

Now, we do not know what the merits of Mr. VOZEL's case may be, but we know that no such bill as this should be passed by the Legislature. It is manifest on the face of the proposed act that VOZEL has had some unsuccessful litigation against the city in a court of record, and he is now irregularly seeking to nullify the city in damages.

Another peculiar bill was introduced in the Assembly the other day by Mr. BLUMENFELD, and its purpose is to authorize the Sinking Fund Commissioners to sell at private sale to the corporation of the Church of the Redeemer certain premises running along Eighty-second street 200 feet to the west of the corner of the Fourth avenue. The bill authorizes the Sinking Fund Commissioners to sell this property to the church for such sum as to the Commissioners shall seem reasonable, and to place a reasonable value upon the equities of the church, and make a reasonable price of the land. But what equity can exist in favor of this church as against the city, and why should the city's land be sold at private sale instead of at public auction?

The Legislature of New York would do well not to interfere in such matters. If this land is to be sold, let it be sold in the regular way and without any special legislation.

The Free Trade Fight Against the Platform.

Every day now carries us closer to July, 1888, and further away from July, 1884; and with the retreat of the latter month, and under the stimulus of fresh propositions emphasized by high authority, the recollection of the Democratic national platform upon which Mr. CLEVELAND was chosen to stand for election, shows unmistakable signs of fading out. For example, the Albany Argus denies that memorable document in these words:

"The Democratic platform did not say 'unintentionally.' In any other way, that the internal revenue tax must go."

Neither the most absolute submission to the precepts and fortunes of the Administration, nor the most ardent longing to smash the tariff at any price, can justify such a statement as this. The Democratic platform of 1884, after denouncing the Republicans for having "failed to relieve the people from crushing war taxes," a statement which even our contemporary quotes, proceeded to pledge the Democracy to revise the tariff in "a spirit of fairness," and to declare categorically that "the system of direct taxation known as the 'internal revenue' is a war tax, and so long as the law continues, the money therefrom should be sacredly devoted to the relief of the people from the remaining burdens of the war, and be made a fund to defray the expenses of the care and comfort of worthy soldiers disabled in line of duty in the war of the republic, and for payment of such pensions as Congress may from time to time grant to such soldiers; and any surplus should be paid into the Treasury."

Here we have, first, the denunciation of "war taxes," and secondly, the single and isolated record that the internal tax is a "war tax." If this does not mean that the internal revenue is transient and that the war's burdens must be regarded as a permanent blessing, to be maintained and cherished forever.

The record indicates incontestably that the internal revenue system must be finally wiped out; and if the platform is to be credited with any meaning at all, a very little figuring of the simplest nature will show that, taking this same platform as a chart for legislation, a large portion of the internal revenue should be abolished now.

The sole justification offered in the platform for retaining this war tax is found in the declaration that it should be devoted to the payment of pensions. When these charges are satisfied, the special function of the internal revenue is accomplished, and then the remainder must go into the Treasury.

Taking the figures for the fiscal year ending June 30, 1887, three years after the adoption of the platform, we find that the pension charges were \$75,000,000. The receipts from internal taxes, the "war tax" of the platform, were \$118,000,000. The remaining burdens of the war, so expressly defined as the sole cause for continuing the internal taxes, fell short of this immense collection by the still enormous sum of \$43,000,000, all

taken directly out of the pockets of the people. Against this exaction the Democratic national platform expressly draws the line, and against it the surplus in the Treasury forms a monumental protest!

The pension charges, as estimated by the Pension Bureau for the year ending in June next, will be \$82,000,000, including the special item of seven millions of back pay to Mexican veterans. The internal revenue receipts for the same period, judging from past rates of increase, will be about \$120,000,000, or perhaps more. Pension estimates for the year ending June, 1888, are again \$75,000,000, and by that time it would not be surprising if the internal revenue receipts should amount to \$130,000,000.

Here is the situation. If it is contended that the internal revenue taxes should not be cut down to-day by from forty to fifty millions, the argument can be supported only by the platform of the free trade party, pure and simple. It cannot be upheld by the present creed of the national Democracy. And so long as the party is to be recognized at all, or until it is agreed that its platform are to be suppressed in favor of the hazardous deliverances of the transient statesman, then the Democracy, both by the record of the day and by the facts of its history, must stand opposed to the system of the internal revenue.

Seeking to Erase the Statute Against Perpetual Trusts.

In this State the aggregation of large sums of money in the hands of religious or charitable corporations has never been favored, and it has been the policy of the Legislature for many years past to limit the amount of real and personal estate which can be held by any religious or charitable society, and to restrict bequests or devises to such corporations.

Mr. ROBERT RAY HAMILTON has introduced into the Assembly a bill to further amend the charter of the American Bible Society. This corporation already enjoys great privileges and powers. By the amendment to its charter, passed in 1872, it was authorized to take and hold real estate by gift, bequest, or devise, without any restriction as to amount; but it was provided that the society should alienate the said real estate within three years after the same vested in the society in possession.

The new act gives the corporation power to act as trustee in respect to any gift, bequest, or devise; and allows gifts, bequests, and devises to be made to the corporation in trust; and goes on to provide that such trusts may continue for such time as may be necessary to accomplish the purpose for which they may be created.

This latter provision is all wrong, and it conflicts with the general statute regarding trusts which has been in force in this State for many years past, and which provides that the absolute ownership of personal property shall not be suspended for more than two lives in being, and that the absolute power of alienation of real estate shall not be suspended for a longer period than two lives in being at the creation of the estate.

It is thus proposed, by slipping through a little amendment to the charter of one corporation, to annul all the force and effect of two most salutary provisions of the Revised Statutes. However worthy the charity, this sort of thing should not be tolerated.

The Blair Premium on Illiteracy.

The intelligent and truly patriotic members of the community will be rejoiced to hear that the specious and seductive, but dangerous measure known as the BLAIR Educational bill has at last been virtually killed in the United States Senate, where alone from the outset it has had a prospect of ultimate success. This bill, it will be remembered, distributes nearly \$80,000,000 from the Federal Treasury among the several States, not according to population, nor in the ratio of the money expended by the States themselves for school purposes, but in proportion to the rankness of the educational shortcomings—that is to say, the more persons over ten years of age in a given State who might be unable to write their names, the better would be the claim of that State to saddle its burdens on the rest of the Union. This disgraceful proposition, we repeat, is practically dead, for, if it could not pass the House of Representatives in 1884 and 1886, when it obtained majorities of 22 and 25 in the Senate, it can expect no better fate this session, when the majority of its friends in the upper House has been cut down to 10.

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